

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA

v.

TIMOTHY GENE HUGHES, JR.

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NO. 4:21-CR-00285-ALM-AGD-29

**REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

This report and recommendation addresses a petition for revocation of the defendant's supervised release. Dkt. 1498 (sealed).

PROCEDURAL HISTORY

In January 2024, United States District Judge Amos L. Mazzant sentenced defendant Timothy Gene Hughes, Jr., to time served followed by five years of supervised release. Dkt. 1337 at 2–3 (sealed). Hughes's term of supervised release commenced immediately. Dkt. 1498 at 1 (sealed).

Several months later, a probation officer petitioned the court for an arrest warrant, alleging that Hughes had violated four conditions of his supervised release. Dkt. 1498 (sealed). The allegations were that Hughes had violated the conditions that required him to (a) not commit another federal, state, or local crime; (b) refrain from any unlawful use of a controlled substance; (c) participate in a program of testing and treatment for substance abuse; and (d) report to the probation officer as instructed. Dkt. 1498 (sealed) at 1–2.

In support of those allegations, the petition asserted that Hughes had evaded arrest with a vehicle and struck a fixture worth more than \$200. Dkt. 1498 (sealed) at 1–2. The petition also asserted that Hughes had submitted a urine specimen that tested positive for cocaine and later verbally admitted to using cocaine; that on five occasions he failed to submit urine specimens as instructed; and that he failed to report to the U.S. Probation Office as instructed. Dkt. 1498 (sealed) at 2.

A final revocation hearing was held before me on October 1, 2024. The government moved to dismiss allegation one. Minute Entry for October 1, 2024. Hughes pleaded true to the three remaining allegations. *Id.* He also consented to revocation of his supervised release and waived his right to object to my proposed findings and recommendations. *Id.*; Dkt. 1590. The government requested a sentence of six months imprisonment followed by five years of supervised release, which is within the federal sentencing guidelines; the defendant agreed. *Id.* After hearing argument from counsel, the court announced what its recommendation would be. *Id.*

RECOMMENDATION

In accordance with the Sentencing Reform Act of 1984, and having considered both parties' arguments, the court recommends that: (1) allegation one in the petition for revocation of Hughes's supervised release, Dkt. 1498, be dismissed; (2) Hughes's supervised release be revoked based on allegations two, three, and four in that petition, *id.*; (3) Hughes be committed to the custody of the Bureau of Prisons to be imprisoned for a term of six months, to run consecutive to any other term of imprisonment, with five years of supervised release to follow; and (4) Hughes be placed at FCI Seagoville in Seagoville, Texas, if appropriate.

So ORDERED and SIGNED this 2nd day of October, 2024.



Bill Davis
United States Magistrate Judge